

# Update on Audit Recommendations

---

BERKELEY POLICE: IMPROVEMENTS NEEDED TO MANAGE OVERTIME  
AND SECURITY WORK FOR OUTSIDE ENTITIES

# Findings

---

1. Overtime is used to maintain minimum patrol staffing set by BPD. (2 recommendations)
2. Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated. (3 recommendations)
3. Officers work excessive overtime, increasing health and safety risks. (2 recommendations)
4. BPD does not have contracts for overtime security with outside entities. (5 recommendations)

# Implementation Status Overview

---

12 total recommendations



2 started



10 implemented

# Recommendation 1.1

---

Collect and monitor data on how often compensatory time leads to additional backfill overtime and develop a plan to monitor it.

- BPD now has a formal process to monitor how often compensatory time leads to backfill overtime with data from the electronic staffing software. The Police Technology Unit will create a biannual report on this data to be reviewed by the Captain of the Support Services Division and the Office of the Chief.
- We implemented this change in July 2023. The first biannual report to track this information data will be created in January 2024.



# Recommendation 1.2

---

Fill vacancies deemed necessary and/or reallocate staff pending the reimagining process and a determination of appropriate staffing levels.

- BPD contracted with a consultant, Citygate Associates, to conduct an assessment of staffing and allocation of resources. CityGate will provide a final report documenting the results of the staffing assessment along with the assessment criteria.
- Citygate has been conducting data collection, interviewing staff and is assessing current deployments. An internal survey and a series of focus groups with key stakeholders are being prepared. The work with Citygate is on schedule and expected to be completed before June 2024. Once complete, BPD will determine next steps for implementation.
- This recommendation is interconnected with 2.3



**STARTED**

# Recommendation 2.1

---

Establish a procedure to regularly assess minimum staffing and overall staffing needs of the department. This process should document and incorporate criteria to assess staffing levels, such as calls for service, other workload, community input, and other relevant factors. As BPD prepares for the rollout of a new software system, BPD should consider how to best align the program's capabilities with this assessment process.

- BPD has created a written protocol to assess minimum staffing and department staffing needs biannually. The protocol incorporates criteria such as calls for service and shift availability. The protocol also considers allocation of police resources geographically, i.e. beat alignment.



# Recommendation 2.2

---

Document and define the Patrol Unit's minimum staffing levels in a publicly assessable format.

- This information has been placed on the BPD webpage. The button "current officer shift assignments" links to a timesheet with officer assignments. Information can be viewed at: <https://berkeleyca.gov/safety-health/police/community-liaisons>



# Recommendation 2.3

---

Document the results of staffing assessments along with the assessment criteria. Incorporate results into staffing projections for budgetary decision making, including establishing a sufficient and appropriate overtime budget.

- BPD contracted with a consultant, Citygate Associates, to conduct an assessment of staffing and allocation of resources. CityGate will provide a final report documenting the results of the staffing assessment along with the assessment criteria.
- Citygate has been conducting data collection, interviewing staff and is assessing current deployments. An internal survey and a series of focus groups with key stakeholders are being prepared. The work with Citygate is on schedule and expected to be completed before June 2024. Once complete, BPD will determine next steps for implementation.
- This recommendation is interconnected with 1.2



# Recommendation 3.1

---

Update the department overtime policy to address the fact that there currently is no limit to the number of consecutive days worked and determine the appropriate limit for overtime that is enforceable with the goal of avoiding officer fatigue. The department may examine other jurisdictions' overtime limits as possible criteria.

- BPD policy 1015 has been updated to include a limit on the number of consecutive days worked. The policy also includes limitations on hours worked. This updated policy was issued on 8/23/23.



# Recommendation 3.2

---

Work to implement a staffing software solution that integrates overtime management and scheduling software. Develop management reports that provide timely, accurate, and complete information on overtime usage. Develop a process for filling overtime shifts on a voluntary and mandatory basis, including supervisor approval. Build in warnings for when an individual is approaching overtime limits and an approval process for allowing individuals to exceed limits when deemed necessary according to the policy.

- The CareWare electronic staffing software solution has recently been implemented to monitor staffing, overtime and time off, plus shift trades/swaps. This includes a warning notice within the system that someone could be working more than the allowed number of hours. This warning requires acknowledgement by the supervisor allowing the hours.



# Recommendation 4.1

---

Update A.R. 2.10 and other department policies to explicitly include guidance around department agreements for work for outside entities, which is paid for by reimbursements to the City from the outside entities. Internal procedures should include appropriate criteria to identify and document the benefit to the City gained by work for outside entity agreements, and to allocate resources in a way that does not negatively impact City operations. Additionally, BPD should document their criteria for when officers are not available or eligible for work for outside entities.

- BPD has finalized Policy 1043 and has begun using the newly created contracts with outside entities including UC Berkeley, the Bearathlon and the Berkeley Half Marathon.



# Recommendation 4.2

---

In consultation with the City Attorney, create contracts with outside entities in compliance with City policies and applicable laws.

- A template service agreement for work with outside entities is available on the Police Department's website:  
<https://berkeleyca.gov/sites/default/files/documents/BPD%20Service%20Agreement-final.pdf>.
- Three (3) service agreements have already been executed. These have been with UC Berkeley, the Bearathlon and the Berkeley Half Marathon.



# Recommendation 4.3

---

Develop an application for BPD's services that is publicly available and accessible online to any interested party. Set pay uniformly according to rank and hourly rate and include a reasonable fee that covers the expenses of administering work for outside entities including workers compensation, fuel, use of equipment, and any other actual or potential costs to the City.

- The application and service agreement have been added to the BPD website on the Community Liaisons page under "Related Documents". BPD will be working with their web management team to add it to the main City of Berkeley website in the "Special Events" section. <https://berkeleyca.gov/safety-health/police/community-liaisons>
- A 10% fee was added on top of employee fees to offset costs associated with coordinating special events, including planning and staff time. 10% is a standard administrative fee at the state level and is standard administrative fee for grant funding we receive. We want to be consistent with department administrative fees throughout BPD. The police department will adjust the administrative fee in the future as needs dictate.



# Recommendation 4.4

---

BPD should reconcile invoices with the amounts received for work with outside entities at regular intervals. BPD should also implement procedures to check invoices for errors prior to billing outside entities.

- BPD's Admin & Fiscal Services Unit developed a written procedure for the "Outside Entity Billing Process". This will ensure consistency and accountability in billing and tracking.



# Recommendation 4.5

---

Explore ways to clearly account for different funds to track revenues and expenses.

- BPD has formalized a written protocol for an Outside Entity Billing Process. This document reflects eleven needed steps from billing through the depositing of funds with the Finance Department and clearly identifies a method to track revenues and expenses.

